

ASSIGNEE

Serial No.

17748

**AMENDED
APPLICATION FOR PERMIT****TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office..... **DEC 12 1958**

Returned to applicant for correction..... **JAN 19 1959**

Corrected application filed..... **MAR 19 1959**

Map filed..... **MAR 20 1959**

The applicant..... **Town of Battle Mountain**
of..... **Battle Mountain**, County of..... **Lander**

State of..... **Nevada**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is..... **Underground (Well)**
Name of stream, lake or other source.
2. The amount of water applied for is..... **Three (3)** second-feet.
One second-foot equals 448.83 gals. per min.
3. The water to be used for..... **Municipal and domestic use**
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
- (a) Irrigation (state number of acres to be irrigated).....
- (b) Stockwater (state number and kinds of animals to be watered).....
- (c) Other use (describe fully under "No. 11. Remarks")..... **Town Supply**
- (d) Power:
- (1) Horsepower developed.....
- (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: **NE $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 20, T. 32 N., R. 45 E., M.D.B.&M., or at a point from which the northwest corner of said section 20 bears N. 57° 12' 48" W., 1622.75 feet.**
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. Place of use..... **NE $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ and SE $\frac{1}{4}$, SW $\frac{1}{4}$ of Section 17, NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ and SE $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 20 all in T. 32 N., R. 45 E., M.D.B.&M.**
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about..... **January 1st** and end about..... **December 31st**, of each year.
Month Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) The water from the above well will be connected to the town water tank and an electric automatic switch pump will be installed therein so that water from the new well will be pumped into the town tank when necessary, the present supply being inadequate.
- Drill well 14 inches in diameter 250 feet deep. First 50 feet cased with 16 inch casing to shut out surface water.

9. Estimated cost of works..... \$4500.00

10. Estimated time required to construct works..... 5 years

11. Remarks This well was drilled by a contractor, Mr. George Carrothers, and it was drilled to a depth of 250 feet and completed on Sept. 2, 1958. The drill log is presently in the office of the state engineer, was filed Sept. 12, 1958. And not less than three (3) second-feet will be needed to provide adequate fire protection and domestic use water for the town of Battle Mountain. The water from this well will be diverted into our regular town supply and will be called upon when our regular supply has become inadequate as it has always done for the last few years...each year and at various times during the year. Our present supply is such that during dry spells which may occur at any time during the year, the water in our tank becomes so low as to constitute a fire and health hazard.

Battle Mountain Town....., Applicant.
County of Lander
State of Nevada

By S/ W. H. Settelmeyer
W. H. Settelmeyer, agent

Compared HS/LB AM/HS

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source and is limited to what the well will produce but not to exceed 3.0 c.f.s. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept, and a method provided, either air line or opening for measuring depth to water. The State retains the right to regulate the use of the water herein granted at any and all times. The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second.

Actual construction work shall begin on or before December 24, 1959

Proof of commencement of work shall be filed before January 24, 1960

Work must be prosecuted with reasonable diligence and be completed on or before December 24, 1960

Proof of completion of work shall be filed before January 24, 1961

Application of water to beneficial use shall be made on or before December 24, 1962

Proof of the application of water to beneficial use shall be filed on or before January 24, 1963

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed JAN 21 1960

Completion of work filed DEC 9 1960

Proof of beneficial use filed FEB 13 1963

Cultural map filed

Certificate No. 5549 Issued June 10, 1963

Recorded 6/14/63 Bk. 1A Page 570

WITNESS MY HAND AND SEAL this 24th day

of June 1959

Edmund G. Marsh
State Engineer